

REMARKS

In the present Office Action, the Examiner withdrew Claims 3, 5-8, 10, 11 and 25-34 from consideration as being directed to a non-elected invention and examined Claims 1, 2, 4, 9, and 12-24. Claims 1, 2, 4, 9 and 12-24 were rejected for the reasons of record.

However, and as discussed in detail below, Applicants submit that its election in response to a Restriction Requirement may have been misread by the Examiner resulting in an apparently improper examination of some of the claims. In order to streamline prosecution, Applicants have responded to the Office Action by conforming the pending claims to its previous election and by making clarifying amendments with the Examiner's comments in mind.

Accordingly, in this Amendment and Reply Claims 1, 3, 5, and 18-24 were amended, Claims 4-10, 12-17 and 25-30 were cancelled without prejudice and no claims were added. Accordingly, Claims 1-3, 5, 11, 18-24 and 31-34 are presented for further examination. Applicants expressly reserve the right to file one or more continuation applications to continue prosecution of Claims 4-10, 12-17 and 25-30 and any further claims that may be appropriate.

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Response to Restriction Requirement:

In the Office Action, the Examiner maintains and now makes final a requirement to restrict the application to one species of a claimed invention. The Examiner acknowledges but apparently mistakenly summarizes Applicants' election made in a Reply to Written Restriction/Election Requirement having a mailing date of July 15, 2002 (Paper No. 8).

In the July 15th Reply, Applicants elected **Group I, Species VI** (FIGS. 53, 54, 54A, 55 and 56), and not **Group I, Species IV** (FIGS. 42-44, and 57-59), as noted in the Office Action. In the previous Reply, Applicants further asserted that the elected Group I, Species VI invention corresponds to Claims 1-3, 5, 11, 18-24 and 31-34 and thus, elected those claims for examination.

Prior Art Rejections under 35 U.S.C. §103:

In the Office Action, the Examiner rejects Claims 1, 2, 4, 9 and 12-24 under 35 U.S.C. §103 as being unpatentable over Morrow et al. (U.S. Patent No. 5,875,901) in view of Babberl

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(U.S. Patent No. 4,215,840). Additionally, the Examiner rejects Claims 4, 12-16, and 19-23 under 35 U.S.C. §103 as being unpatentable over Morrow et al. in view of Babberl as applied to Claims 1, 2, 9, 17, 18 and 24, and further in view of Johnske (U.S. Patent No. 5,984,120).

In view of the apparent mistake with respect to Applicants' prior election, without addressing the patentability of the now pending claims over the cited documents, without admitting relevancy (if any) of the cited documents to the now pending claims and merely to streamline prosecution of the pending application, Claims 4-10, 12-17 and 25-30 were cancelled without prejudice and clarifying amendments were made to Claims 1, 3, 5, and 18-24 to even further recite features that Applicants' regard as the elected invention.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited. To expedite prosecution of this application to allowance, the Examiner is invited to call the undersigned attorney to discuss any issues relating to this application.

Respectfully submitted,
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